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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,666	12/01/2003	Chang-Ho Suh	678-1310	2412
	7590 12/11/2007 L LAW FIRM, P.C.	EXAMINER		
333 EARLE O	VINGTON BOULEVA	RD	MALEK, LEILA	
	SUITE 701 UNIONDALE, NY 11553		ART UNIT	PAPER NUMBER
01.101.101.101,	,		2611	
			MAIL DATE	DELIVERY MODE
			12/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Application No.   Application No.   Application No.   10724,666   SUH ET AL.				9-
### Examiner   Leila Malek   2611    ### The MAILING DATE of this communication appears on the cover sheet with the correspondence address  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHCEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  **Examinion of time may be available under the positions of 31 CPR 1,136(s), fine event, however, may a reply be timely fled  **If No period for reply is specified sow, the maximum statutory period will apply and will expire SM (MONTHS from the mailing date of this communication. Failure to reply which the set or extended period for reply will, by statutory seriod will apply and will expire SM (MONTHS from the mailing date of this communication. Failure to reply which the set or extended period for reply will, by statutory seriod will be supplied to the communication, even if through fleed, may reduce any common dynatron adjustment. Set 37 CFR 1,73(d))  ### Responsive to communication(s) filed on 19. September 2007.  ### 201 This action is FINAL.  ### 202 This action is FINAL.  ### 202 This action is incondition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  ### 203 Claim(s)		Application No.	Applicant(s)	
Leilis Malek The MALLING DATE of this communication appears on the cover sheet with the correspondence address  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MALLING DATE OF THIS COMMUNICATION.	•	10/724,666	SUH ET AL.	
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be waited under the provision of 30° FR 1.136(a). In no event, however, may a reply be limely filled after SX (6) MOSITIS from the mailing date of this communication. It is shown that the provision of the communication of the provision of			MONTHON OF THEFTY (OC. D.	43.40
1) Responsive to communication(s) filed on 10 September 2007.  2a] This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-12 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 1-13 is/are allowed. 6) Claim(s) 1-13 is/are ellowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner.  10) The specification is objected to by the Examiner.  10) The drawing(s) filed on 1201/2003 is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9) The specification is objected to the drawing(s) be held in abeyance. See 37 CFR 1.85(a), Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SE008)	<ul> <li>WHICHEVER IS LONGER, FROM THE MAILING I</li> <li>Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If NO period for reply is specified above, the maximum statutory period</li> <li>Failure to reply within the set or extended period for reply will, by statu Any reply received by the Office later than three months after the maili</li> </ul>	DATE OF THIS COMMUN.  .136(a). In no event, however, may d will apply and will expire SIX (6) Milte, cause the application to become	NICATION. a reply be timely filed  ONTHS from the mailing date of this commun ABANDONED (35 U.S.C. § 133).	
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3) Information Disclosure Statement(s) (PTO/SB/08)  5) Notice of Informal Patent Application				
		5) Notice o	f Informal Patent Application	
	Paper No(s)/Mail Date <u>10/16/2007</u> .	6) [_] Other: _		

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## **DETAILED ACTION**

#### Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/10/2007 has been entered.

### Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 10/16/2007 is being considered by the examiner.

### Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 3. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. As to claims 1-13, Applicant in the preamble of the claim recites "to generate a preamble sequence to decrease a peak-to-average- power ratio", however in the body of the claim Applicant fails to disclose how the PAPR has been decreased.
- 4. Claim 5-7 recite the limitation "the one orthogonal frequency division multiplexing symbol period". There is insufficient antecedent basis for this limitation in the claim.

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# Allowable Subject Matter

5. Claims 1-13 are rejected under second paragraph of 35 U.S.C. 112, but would be allowable if rewritten in a form to overcome the above rejection.

The following is a statement of reasons for the indication of allowable subject matter: a comprehensive search of prior art of record failed to disclose, either alone or in combination, a method to generate a preamble sequence to decrease a peak-to-average power ratio through at least two antennas in an orthogonal frequency division multiplexing communication system having a plurality of subcarriers, the method comprising the steps of: generating a first short preamble sequence with elements corresponding to the plurality of subcarriers, wherein data other than null data is inserted for elements associated with a subcarrier identified by a unique number that is an even number; generating a second short preamble sequence with elements corresponding to the plurality of subcarriers, wherein data other than null data is inserted for elements associated with a subcarrier identified by a unique number that is an odd number; and generating a preamble sequence in a time domain by transforming one of the first and second short preamble sequences according to a transmission rule by using an inverse Fast Fourier transform.

#### Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (US 2003/0026295) and (US 2003/0218973).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leila Malek whose telephone number is 571-272-8731. The examiner can normally be reached on 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leila Malek Examiner Art Unit 2611

L.M.

MOHAMMED GHAYOUR SUPERVISORY PATENT EXAMINER